

IN AND FOR THE FOURTH JUDICIAL DISTRICT

GENERAL ORDER
2013-10-29

2012 OCT 31 AM 8:40
CLERK DISTRICT COURT
POTTAWATTAMIE COUNTY
IOWA

FILED

It is Ordered:

1. After acceptance of plea and prior to sentencing on either OWI 1st or OWI 2nd offenses, a Defendant shall either request an Order authorizing and subsequently complete the McCarthy Center Program or Defendant shall complete independently a substance abuse evaluation and drinking driver's course.
2. After acceptance of plea and prior to sentencing on an OWI 3rd offense, a Defendant shall complete the substance abuse evaluation and drinking driver's course.
3. If at the time set for sentencing, the Defendant appears without having completed the McCarthy Center Program or otherwise having completed a substance abuse evaluation and drinking driver's course, the Court may not follow the terms of the plea agreement under Rule 2.10 of the Iowa Rules of Criminal Procedure making the sentence "open" which could result in more than the minimum mandatory sentence being imposed upon the Defendant.
4. Said procedure shall become effective on December 3, 2012.

October 29, 2012


Jeffrey L. Larson, Chief Judge